

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**Christopher Bibbo**, Plaintiff,

v.

**Massachusetts Department of Correction; et al.**, Defendants

Civil Action

08-CV-10746-RWZ

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**PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

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Plaintiff Christopher Bibbo hereby moves this Court for an Order granting this Motion for Summary Judgment pursuant to Fed. R. Civ. Proc. 56 on the grounds there is no genuine issue as to any material fact, and that Mr. Bibbo is entitled to judgment as a matter of law, on the following issues:

1. Defendants have violated the Americans with Disability Act and the Rehabilitation Act by depriving Mr. Bibbo of his personal motorized wheelchairs;
2. Defendants have violated the Americans with Disability Act and the Rehabilitation Act by failing to provide Mr. Bibbo with an orientation; and
3. Defendants have violated the Americans with Disability Act and the Rehabilitation Act by depriving Mr. Bibbo of a prison job.

Mr. Bibbo's motion is based on this Motion, Plaintiff's Opposition to Defendants' Motion to Dismiss, or in the Alternative, for Summary Judgment (Dkt. No. 64-2) and supporting affidavits and exhibits, Plaintiff's Supplemental Opposition to Defendants' Motion for Summary Judgment and Memorandum of Law in Support of Plaintiff's Motion for Summary Judgment and supporting affidavits and exhibits, Plaintiff's Statement of Undisputed Facts and related exhibits, and on such other and further evidence and argument as may be presented to the Court in connection with this motion.

*Respectfully submitted,*

Dated: June 18, 2010

/s/ Craig R. Smith  
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RULE 7.1 CERTIFICATION

I hereby certify that I have tried to confer with counsel for Defendants concerning this motion.

/s/ Craig R. Smith  
Craig R. Smith

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this 18th day of June, 2010.

Dated: June 18, 2010.

/s/ Craig R. Smith  
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